

In The United States District Court  
For The Eastern District Of Pennsylvania

United States Of America.

v.

Phillip Eric Weems

RECEIVED  
11/11/13  
Criminal No. 11-633

Order

And now, this      day of      2013,  
upon consideration of Defendants' Motion To  
Dismiss, it is hereby Ordered that said Motion  
is Granted.

By The Court.

J.

In The United States District Court  
For The Eastern District Of Pennsylvania

United States Of America.

v.

Phillip Eric Weems

Criminal No. 11-633

### Motion To Dismiss

To The Honorable Judge Juan R. Sanchez:

And now comes Defendant Phillip Eric Weems who moves this Court pursuant to Fed. R. Crim. P. 12(b)(3)(B) to dismiss Count 2 of the Information with prejudice for lack of the required interstate jurisdictional element that makes the offense a federal crime under 18 USC § 513(a) and represents:

1. That, the counterfeit checks mentioned in Count 2 of the Information were securities of nonexistent shell companies that were not operating in or affecting interstate or foreign commerce therefore the United States Of America has

failed to state a federal crime under 18 USC § 513(a) because the fictitious entities mentioned in Count 2 of the Information were not Organizations that fall within the scope of the meaning under 18 USC § 513(c)(4)

Wherefore, Defendant respectfully requests this Court to dismiss Count 2 of the Information with prejudice.

Date: 7/17/13

Respectfully Submitted,

*Phillip Weems*

Phillip Weems, Reg. #67841-066

Federal Detention Center - Phila

P.O. Box 562

Philadelphia, PA 19105

## Certificate Of Service

I, Phillip Eric Weems hereby certify under the penalties of perjury that a copy of the foregoing Motion To Dismiss has been served via US 1st Class Mail upon the parties listed below:

Clerk Of Court  
601 Market Street  
Philadelphia, PA 19106

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Philadelphia, PA 19107

Respectfully Submitted,

Date: 7/17/13

Phillip Weems

Phillip Weems, Reg. # 67841-066